

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARIA JACKSON,

Plaintiff,

-against-

08 Civ. 1064 (LAK)

THE SCOTTS COMPANY,

Defendant.

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**ORDER**

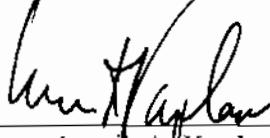
LEWIS A. KAPLAN, *District Judge.*

By order dated April 9, 2008 [docket item 21], the Court directed plaintiff's counsel, Ms. Frelix, to show cause why she should not be sanctioned for violating Fed. R. Civ. P. 11(b). Ms. Frelix has responded by moving for relief from the April 9 order. [Docket item 38] Her motion in fact is nothing more than a response on the merits to the question whether she violated Rule 11 and should be sanctioned.

There is no basis for relief from the April 9 order, which was appropriately issued. Accordingly, plaintiff's motion for relief from that order [docket item 38] is denied. The Court will proceed to decide the questions whether and to what extent Ms. Frelix should be sanctioned in the normal course pursuant to its own order to show cause, taking into account Ms. Frelix's response. In addition, the Court, if Ms. Frelix wishes it, will hear oral argument and any testimony she might wish to present on the sanctions issues on May 2, 2008 at 9:30 a.m. *provided* that Ms. Frelix notifies chambers in writing no later than April 24, 2008 that she wishes to avail herself of that opportunity.

SO ORDERED.

Dated: April 17, 2008

  
Lewis A. Kaplan  
United States District Judge

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